IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FIRST APPEAL NO.2350 OF 2005

Dalbir Singh Bharara & Anr. ...Appellants
Vs.
The Municipal Corporation of Greater
Bombay ...Respondent

Mr J.J. Shah for the Appellants.
Mr J.J. Xavier for the Respondent.

CORAM : A. S. OKA, J.
DATE : MAY 03, 2006.

P.C.:

1. Affidavit of the Appellant No.1 is taken on record. The Advocate appearing for the Appellants states that the Appellants desire to withdraw the Appeal unconditionally. However, it is prayed that the Appellants may be granted sufficient time to enable them to apply for regularisation of the suit structure. Affidavit of the Appellant No.1 is marked 'X' for identification and is taken on record.

2. In view of the submissions, the Appeal is dismissed as withdrawn with no orders as to costs.

3. If Application is made by the Appellants to the appropriate authority of the Respondent-Corporation for regularisation of the suit

structure within period of four weeks from today, the said Application shall be decided by the concerned authority within period of eight weeks from the date of filing of the Application.

4. The order passed on the Application shall be communicated by the Respondent to the Appellants within period of one week from the date of passing of the order at the address mentioned in the cause title of the Appeal.

5. If the Application for regularisation is made within period of four weeks from today, the Respondent will not take any coercive steps in respect of the suit structure for period of twenty weeks from today. If Application is not made within four weeks, the Respondent is free to proceed against the structure.

6. Parties to act upon an authenticated copy of this order.

JUDGE